

IN RE: PETITION FOR ZONING VARIANCE
W/S Manor Road, 116' S of the
C/L of Langtry Drive
(13010 Manor Road)
11th Election District
6th Councilmanic District
Trustees of Long Green
Baptist Church - Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 89-243-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a dual faced sign (church bulletin board) of 88 sq.ft. total in lieu of the maximum permitted 30 sq.ft. sign, as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by the Rev. Dale R. South, appeared, testified, and were represented by John W. Moyer, Esquire. There were no Protestants.

Testimony indicated that the subject property, known as 13010 Manor Road, is the site of the Long Green Baptist Church. An identification sign of approximately 41 sq.ft. per side has existed on the property for approximately 25 years. Rev. South testified that due to the ineffective placement of the existing sign and a desire to make the sign more visible and legible for passing motorists, Petitioners are requesting the instant variance. Rev. South testified that he has spoken to the neighbors closest to the subject property who have indicated they have no objection to the proposed sign. Testimony indicated that the placement of the sign perpendicular to the road rather than parallel as is the present sign will provide better visibility. Testimony further indicated that the lettering capacity on the current sign is too small to be easily read by passing motorists without posing a safety problem. Rev. South testified the new sign will have a minimum of 4" high lettering except on possibly

one panel which would be the standard message regarding the time for weekly services and Sunday School. Rev. South argued that to deny the variance would result in practical difficulty to the Church. Further testimony indicated the granting of this variance would not result in any detriment to the health, safety, or general welfare of the community.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of January, 1989 that the Petition for

-2-

Zoning Variance to permit a dual faced sign (church bulletin board) of 88 sq.ft. total in lieu of the maximum permitted 30 sq.ft. sign, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The lettering on the proposed sign shall be a minimum of 4 inches high on each side except for the one line setting forth the time of weekly services, including, but not limited to, the Sunday School schedule, which may have lettering 2 inches high in size.
- 3) Petitioners shall provide landscaping around the new sign at a minimum as set forth in Petitioner's Exhibit 1.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

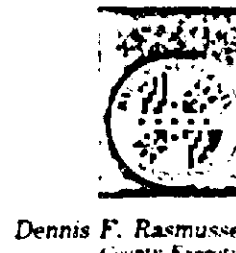
AMN:bjs

ORDER RECEIVED FOR FILING
Date 1/14/89
By [Signature]

-3-

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
444-2222 887-3353
J. Robert Haines
Zoning Commissioner

January 10, 1989



John W. Moyer, Esquire
9203 Harford Road
Baltimore, Maryland 21234

RE: PETITION FOR ZONING VARIANCE
W/S Manor Road, 116' S of the c/l of Langtry Drive
(13010 Manor Road)
11th Election District - 6th Councilmanic District
Trustees of Long Green Baptist Church - Petitioners
Case No. 89-243-A

Dear Mr. Moyer:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3331.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: Mr. Robert Prigel
4851 Long Green Road, Glen Arm, Md. 21057

Rev. Dale R. South
13010 Manor Road, Long Green, Md. 21092

People's Counsel

File

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-243-A
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.1.b. To allow a dual faced sign (church bulletin board) with a total area of 88 sq. ft. in lieu of the required 30 sq. ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
1. The current sign is ineffective because of its position parallel to Manor Road. Motorists are either entering into or coming out of a very sharp curve.
2. The lettering capacity on the current sign is too small to easily read for motorists passing by without posing a safety problem.
3. The new sign will have hardly any more square footage than the current sign, but it will be double-sided. This will add to its readability for passing motorists without the safety hazards.
4. New sign is more esthetically pleasing.
Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser: (Type or Print Name) _____
Signature _____
Address _____
City and State _____
Attorney for Petitioner: John Moyer
(Type or Print Name) _____
Signature _____
Address 8203 Harford Road
Baltimore, MD 21234
City and State _____
Attorney's Telephone No.: 661-3434

Legal Owner(s):
Trustees of Long Green Baptist Church
(Type or Print Name) _____
Signature _____
Robert Prigel, Trustee
(Type or Print Name) _____
Signature _____
Address 4851 Long Green Road
Glen Arm, MD 21057
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Rev. Dale R. South
Name _____
Address 13010 Manor Road
City and State _____

ORDERED By The Zoning Commissioner of Baltimore County, this 26th day of Oct. 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 105, County Office Building 1, Towson, Baltimore County, on the 20th day of Dec. 1988, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County.

(over)

DESCRIPTION OF PROPERTY

LONG GREEN BAPTIST CHURCH PETITION FOR ZONING VARIANCE

BEING KNOWN AND DESIGNATED AS LOTS NOS. 40 AND 41 SECTION A ON THE PLAT OF DULANEY HILLS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK G.L.B. NO. 20 FOLIO 43, ALSO LOT NO. 42 SECTION C AS SHOWN ON PLAT OF DULANEY HILLS RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN PLAT BOOK G.L.B. NO. 21 FOLIO 45 SITUATE ON THE WEST SIDE OF MANOR ROAD.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District: 11th Date of Posting: 12/31/88
Posted for: Variance
Petitioner: Trustees of Long Green Baptist Church
Location of property: W/S Manor Rd. 116' S of Langtry Rd.
Location of Sign: Facing Manor Rd. across 10' E. to 2nd St. on property of Petitioner
Remarks: _____
Posted by: [Signature] Date of return: 12/19/88
Number of Signs: 1

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 105 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland at 2:00 P.M. on the date and time specified below:

Petition for Zoning Variance
Case number: 89-243-A
W/S Manor Road, 116' S of Langtry Drive
(13010 Manor Road)
11th Election District
6th Councilmanic District
Petitioners:
Trustees of Long Green Baptist Church
Hearing Date: Tuesday, Dec. 20, 1988 at 2:00 P.M.

Variance to allow a dual faced sign (church bulletin board) with a total area of 88 sq. ft. in lieu of the required 30 sq. ft.
7th PHASE 8 OF THE SNOW EMERGENCY PLAN IS IN EFFECT ON THIS DATE. CALL 444-2222 TO CANCEL THE DATE.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
11562 New 24

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 23, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on November 23, 1988.

Northeast Times
THE JEFFERSONIAN,

S. Zabe Olson
Publisher

PO 05887
reg 120472
case 89-243-A
price \$75.90

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
W/S Manor Rd., 116' S C/L : OF BALTIMORE COUNTY
Langtry Dr. (23010 Manor Rd.) :
11th Election District :
6th Councilmanic District :
TRUSTEES OF LONG GREEN BAPTIST : Case No. 89-243-A
CHURCH, Petitioner :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 28th day of November, 1988, a copy of the foregoing Entry of Appearance was mailed to John Moyer, Esquire, 8203 Harford Rd., Baltimore, MD 21234, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Rev. Dale R. South
13010 Manor Road
Glen Arm, Maryland 21057

Re: Petition for Zoning Variance
CASE NUMBER: 89-243-A
US Manor Road, 116' S c/l Langtry Drive
(13010 Manor Road)
11th Election District - 6th Councilmanic
Petitioner(s): Trustees of Long Green Baptist Church
HEARING SCHEDULED: TUESDAY, DECEMBER 20, 1988 at 2:00 p.m.*

Dear Rev. South:

Please be advised that \$20.00 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 12-20-88 ACCOUNT: D-61-615-600
AMOUNT: \$ 70.00
RECEIVED: Long Green Baptist Church
FOR: Printing & Advertising (89-243-A)
B 8172*****302018 70000
VALIDATION OR SIGNATURE OF CASHIER
DATE: 12-20-88

post set(s), there
each set not

one

per of

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

December 2, 1988

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: Trustees of Long Green Baptist Church

Location: W/S Manor Road, 116' S of c/l of Langtry Dr.

Item No.: 150 Zoning Agenda: Meeting of 10/25/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
2. A second means of vehicle access is required for the site.
3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
6. Site plans are approved, as drawn.
7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Paul H. Reincke, Chief
NOTED & APPROVED: Fire Prevention Bureau
Planning Group
Special Inspection Division

/s/

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

November 9, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-243-A
US Manor Road, 116' S c/l Langtry Drive
(13010 Manor Road)
11th Election District - 6th Councilmanic
Petitioner(s): Trustees of Long Green Baptist Church
HEARING SCHEDULED: TUESDAY, DECEMBER 20, 1988 at 2:00 p.m.*

Variance to allow a dual faced sign (church bulletin board) with a total area of 88 sq. ft. in lieu of the required 30 sq. ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Rev. South
Mr. Prigel
John Moyer, Esq.

NOTE:
IF PHASE II OF THE SNOW EMERGENCY PLAN IS IN EFFECT IN BALTIMORE COUNTY BY 8:30 a.m. ON THE DATE OF THE ABOVE HEARING, SUCH HEARING WILL BE POSTPONED AND TENTATIVELY RESCHEDULED FOR THURSDAY, JANUARY 12, 1989. PLEASE TELEPHONE DODGEY CLECK AT 887-1311 TO CONFIRM DATE.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-243-A
US Manor Road, 116' S c/l Langtry Drive
(13010 Manor Road)
11th Election District - 6th Councilmanic
Petitioner(s): Trustees of Long Green Baptist Church
HEARING SCHEDULED: TUESDAY, DECEMBER 20, 1988 at 2:00 p.m.*

Variance to allow a dual faced sign (church bulletin board) with a total area of 88 sq. ft. in lieu of the required 30 sq. ft.

*IF PHASE II OF SNOW EMERGENCY PLAN IS IN EFFECT ON THIS DATE, CASE WILL BE RESCHEDULED. CALL 887-3391 TO CONFIRM DATE.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 14, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

John Moyer, Esquire
8203 Harford Road
Baltimore, Maryland 21234

RE: Item No. 150, Case No. 89-243-A
Petitioner: Trustees of Long Green Baptist Church
Petition for Zoning Variance

Dear Mr. Moyer:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:dt

Enclosures

cc: John Huang & Associates, Inc.
12806 Ponderosa Lane
Glen Arm, MD 21057

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building, Suite 405
Towson, Maryland 21204
494-3554

October 28, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 440, 58, 102, 128, 144, 145, 147, 153, 151, 153, 154, 155, 156, and 157.

Very truly yours,

Michael S. Flanigan
Engineering Associate

MSF/lw

RECEIVED
NOV 9 1988
ZONING OFFICE

89-243-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 26th day of October, 1988.

J. Robert Haines
ZONING COMMISSIONER

Trustees of Long Green Baptist Church
Petitioner's Attorney: John Moyer

Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

12915 Kams Road
Towson, Md.
12/20/88

Dear Sirs:
I have no objection to the sign being installed in front of the church on Manor Road. I feel that I am one of the closest neighbors.

Sincerely,
Dorothy E. Beck

PETITIONER'S
EXHIBIT 2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines
TO: Zoning Commissioner
Fat Keller, Deputy Director
FROM: Office of Planning and Zoning
Zoning Petition No. 89-243
SUBJECT: Trustees of Long Green Baptist Church
Date: November 29, 1988

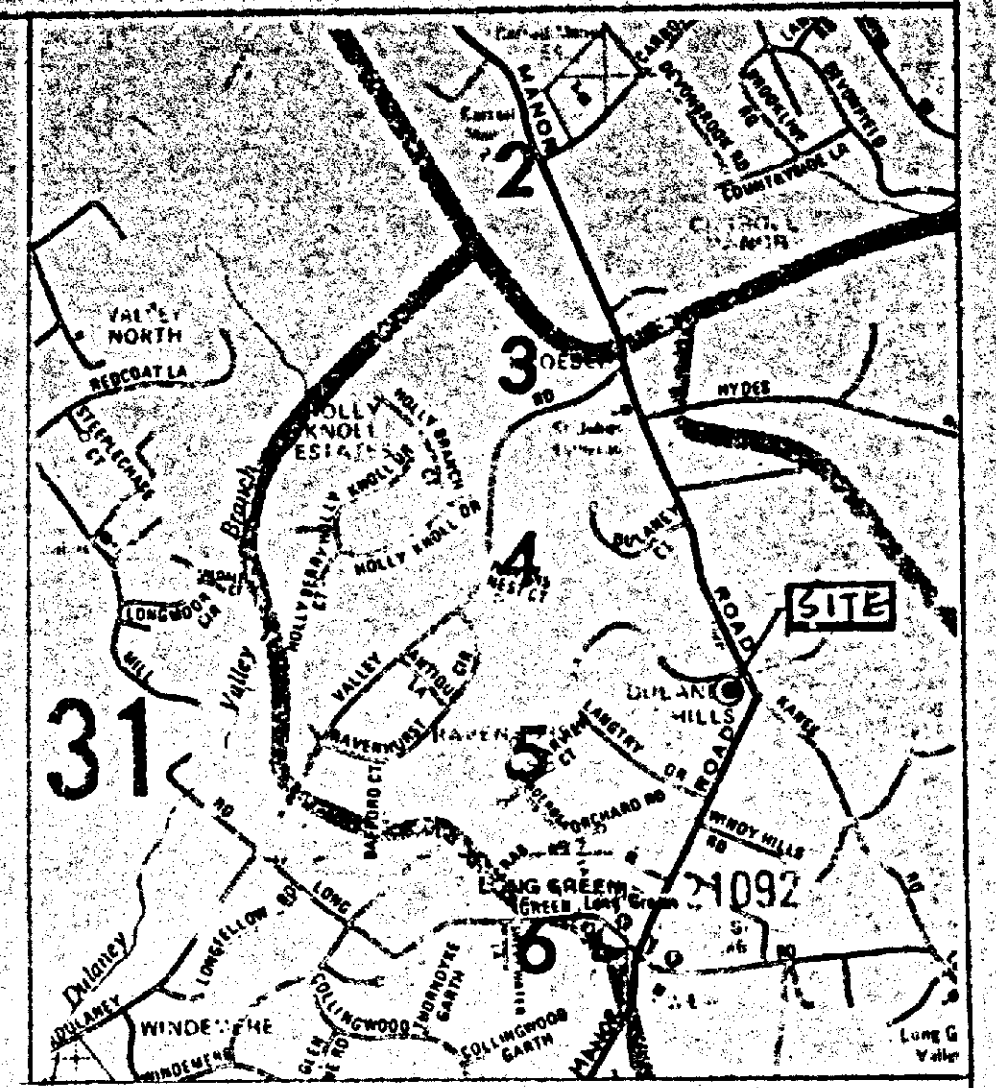
The Office of Planning and Zoning has no comment on the proposed project except as noted:

- All requests should be subject to the site plan as shown (use, size, location) and not uniformly applied to the lot. Any substantial deviation from the construction as shown will result in voiding of the approval.
- Illumination should be kept to exterior only and limited between 7:00 a.m. and 10:00 p.m. Additional landscaping within proximity of the sign should be reviewed by the County Landscape Planner.

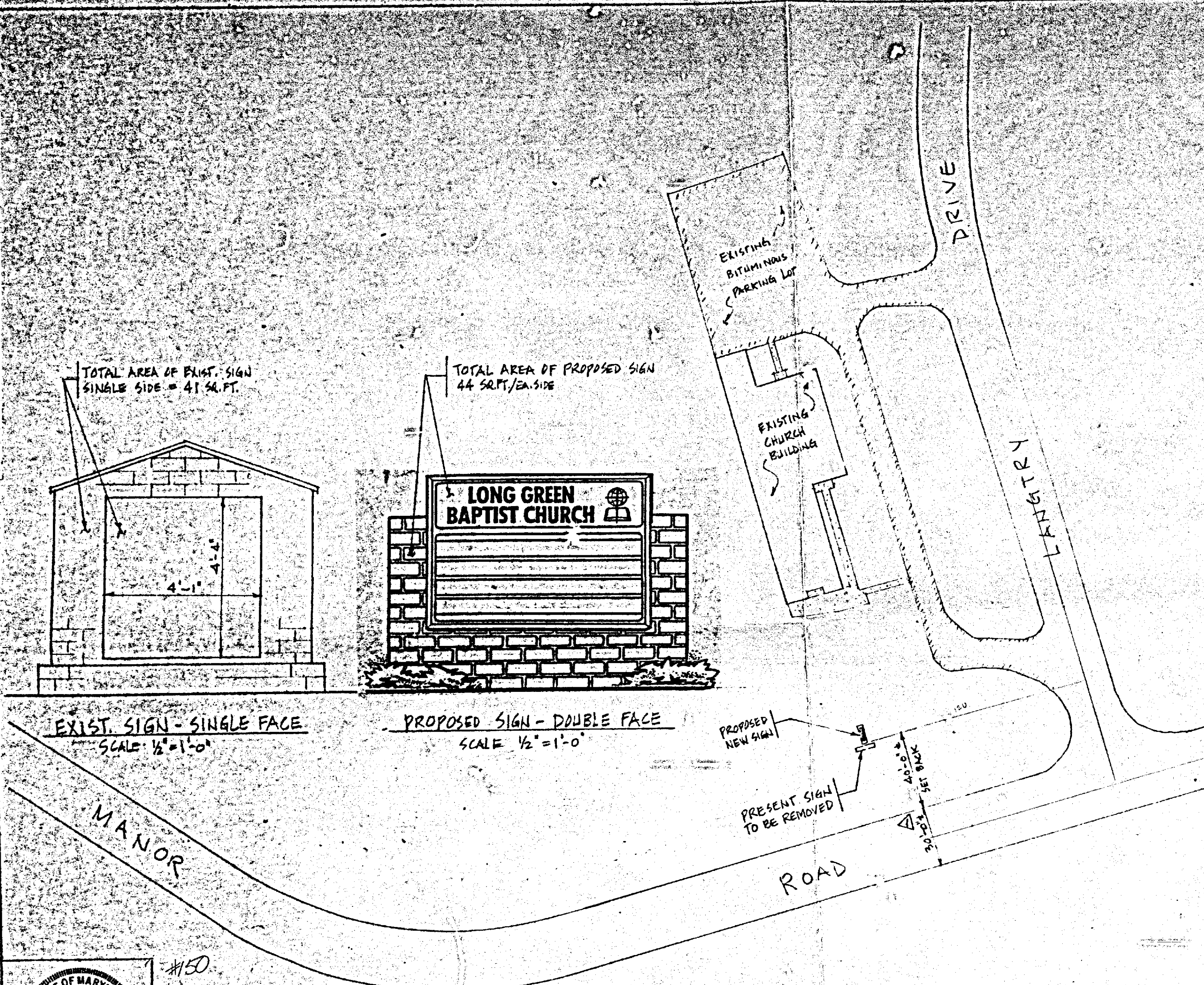
FK/st

RECEIVED
NOV 20 1988
ZONING OFFICE

12/2/88
cc: John W. Moyer, Esq.



LOCATION MAP
1" = 2,000 FT.



PETITIONER EXHIBIT A1

SITE PLAN FOR NEW SIGN

1" = 40'-0"



CONTACT - DALE SOUTH - TEL. 592-7891



#150
ELECTION DISTRICT II - ZONE RC3
LOT #41 - DULANEY HILLS - SEC. A
G.L.D. #20 FOLIO #43
LOT SIZE - 3.1 ACRE

NEW SIGN FOR
LONG GREEN BAPTIST CHURCH
13010 MANOR ROAD, LONG GREEN, MARYLAND 21092

REVISIONS		
NO.	DATE	DESCRIPTION
1	9/23/88	ADD ZONING INFO. & CONTACT NAME.

SITE PLAN	SP-1A
DATE: SEPT. 6, 1988	PROJ. NO. 8745

JOHN HUNTER & ASSOCIATES, INC.
12806 Fenwick Lane
Glen Arden, MD 21057
(301) 592-7486